

ORDINANCE NO. 97-28

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE TEXT OF THE **TRAFFIC CIRCULATION ELEMENT** (TO ESTABLISH **CLINT MOORE ROAD CRALLS** FACILITY); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on February 28, March 14, and March 28, 1997, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 31 and April 2, 1997, to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners

1 authorized transmittal of proposed amendments to the Department of
2 Community Affairs for review and comment pursuant to Chapter 163,
3 Part II, Florida Statutes; and

4 WHEREAS, Palm Beach County received on July 7, 1997, the
5 Department of Community Affairs "Objections, Recommendations, and
6 Comments Report," dated July 3, 1997, which was the Department's
7 written review of the proposed Comprehensive Plan amendments; and

8 WHEREAS, the written comments submitted by the Department of
9 Community Affairs contained no objections to the amendments
10 contained in this ordinance;

11 WHEREAS, on August 8, 1997, the written comments submitted by
12 the Department of Community Affairs, and the Planning Division's
13 response to the written comments, were reviewed by the Palm Beach
14 County Local Planning Agency to make recommendations regarding
15 adoption of the Comprehensive Plan amendments; and

16 WHEREAS, on September 22, 1997, the Palm Beach County Board of
17 County Commissioners held a public hearing to review the written
18 comments submitted by the Department of Community Affairs and to
19 consider adoption of the amendments; and

20 WHEREAS, the Palm Beach County Board of County Commissioners
21 has determined that the amendments comply with all requirements of
22 the Local Government Comprehensive Planning and Land Development
23 Regulations Act.

24 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
25 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

26 Part I. Amendments to the 1989 Comprehensive Plan

27 An Amendment to the following Element of the 1989
28 Comprehensive Plan is hereby adopted and attached to this Ordinance
29 on the following Exhibit:

30 A. Traffic Circulation Element, to establish the Clint Moore

1 Road Constrained Roadway at a Lower Level of Service (CRALLS)
2 facility on Clint Moore Road from Lyons Road to Jog Road.

3 Part II. Repeal of Laws in Conflict

4 All local laws and ordinances applying to the unincorporated
5 area of Palm Beach County in conflict with any provision of this
6 ordinance are hereby repealed to the extent of such conflict.

7 Part III. Severability

8 If any section, paragraph, sentence, clause, phrase, or word
9 of this Ordinance is for any reason held by the Court to be
10 unconstitutional, inoperative or void, such holding shall not
11 affect the remainder of this Ordinance.

12 Part IV. Inclusion in the 1989 Comprehensive Plan

13 The provision of this Ordinance shall become and be made a
14 part of the 1989 Palm Beach County Comprehensive Plan. The
15 Sections of the Ordinance may be renumbered or relettered to
16 accomplish such, and the word "ordinance" may be changed to
17 "section," "article," or any other appropriate word.

18 Part V. Effective Date

19 The effective date of this plan amendment shall be the date a
20 final order is issued by the Department of Community Affairs or
21 Administration Commission finding the amendment in compliance in
22 accordance with Section 163.3184, Florida Statutes, whichever
23 occurs earlier. No development orders, development permits, or
24 land uses dependent on this amendment may be issued or commence
25 before it has become effective. If a final order of noncompliance
26 is issued by the Administration Commission, this amendment may
27 nevertheless be made effective by adoption of a resolution
28 affirming its effective status, a copy of which resolutions shall
29 be sent to the Department of Community Affairs, Bureau of Local
30 Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

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1 APPROVED AND ADOPTED by the Board of County Commissioners of
2 Palm Beach County, on the 22 day of September, 1997.

3 ATTEST:
4 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

5 *[Signature]*
6 Deputy Clerk

By *[Signature]*

Chair

7 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
8 *[Signature]*
9 COUNTY ATTORNEY

10 Filed with the Department of State on the 29 day
11 of September, 1997.

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A. Traffic Circulation Element - Clint Moore Road CRALLS.

ADDITIONS Objective 4 Level of Service Standards

Policy 4-n: The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 4-b general level of service standards.

1. - 6. (Pertain to other CRALLS)

7. Clint Moore Road from Lyons Road to Jog Road, is hereby designated as a Constrained Roadway at a Lower Level of Service (CRALLS) facility with LOS F for Test One and Alternate Test One. The LOS standard volumes shall be exclusively for the purpose of concurrency for the Delray Training Center, and shall be in effect until which time this segment of Clint Moore Road is widened to four lanes. Once the roadway segment is widened, the Board of County Commissioners shall re-evaluate the CRALLS facility. The facility's level of service standard volumes shall be as shown in the table below.

<u>YEAR</u>	<u>TEST ONE</u>	<u>ALTERNATE TEST ONE</u>	
<u>1997</u>	<u>15,700</u>	<u>1,250</u>	<u>LOS E</u>
<u>1998</u>	<u>16,500</u>	<u>1,310</u>	<u>LOS F</u>
<u>1999</u>	<u>17,300</u>	<u>1,380</u>	<u>LOS F</u>
<u>2000</u>	<u>18,200</u>	<u>1,450</u>	<u>LOS F</u>
<u>2001</u>	<u>19,100</u>	<u>1,520</u>	<u>LOS F</u>

Test 1 is the traffic volume on a roadway measured against the adopted level of service at the build out of development on an average daily basis. Test 2 is the traffic volume on a roadway measured against the adopted level of service at the build out of development on a peak hour, peak season, and peak direction basis.

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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 9/22/97
DATED at West Palm Beach, FL on 10/8/97.
DOROTHY H. WILKEN, Clerk
By: Phyllis A House D.C.

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